

**Testimony of the Thermostat Recycling Corporation  
Before the Connecticut Joint Legislative Committee on the Environment**

**Re: House Bill 7067 – *An Act Concerning Product Stewardship***  
February 22, 2017

**OPPOSE**

Chairmen Kennedy, Miner, Demicco and members of the committee, my name is Ryan Kiscaden. I am the Executive Director at the Thermostat Recycling Corporation (“TRC”).

The purpose of my testimony today is to 1) share TRC’s proactive mercury-containing thermostats recycling program history, 2) highlight the progress TRC has made in eliminating mercury in Connecticut’s waste stream under Public Act 12-54, and 3) recommend enhancements to the current act while underscoring the obstacles H.B. 7067’s presents to our current collection model.

To begin, TRC is a non-profit stewardship organization that facilitates and manages the collection and proper disposal of mercury-containing thermostats. Founded in 1998 by Honeywell, White-Rodgers and General Electric, as a voluntary venture, it is one of the first extended-producer-responsibility organizations in the nation.

Today, 29 manufacturers support the program. Our members' continuing financial support demonstrates their commitment to a cleaner environment. Our network of collection sites consists of HVAC wholesale distributors, HVAC contractors, HHW facilities and, depending on the state, retailers. In fact, more than 3,600 businesses and communities in 48 states are now enrolled in our program.

Since our founding, we’ve collected over 2.1 million mercury-containing thermostats, of which 24,000 came from Connecticut. All of these collections have totaled over 10 tons of mercury out of the waste stream.

In May of 2012, Governor Dannel Malloy signed Public Act 12-54 - “*An Act Requiring the Establishment of Manufacturer Mercury Thermostat Collection and Recycling Programs*” (the Act) into law.

The Act levied a legal obligation – beginning in July 2014 - on HVAC<sup>1</sup> wholesalers and large contractors to serve as thermostat collection sites for a recycling program funded by thermostat manufacturers. Plus, it added structure and authority to TRC’s activities in Connecticut. As a result, TRC works closely with state regulatory authorities such as the CT Dept of Energy & Environmental Protection.

We are pleased to report that with collaborations like these, the number of collection bins across the state quadrupled by 2015, and thermostat collections rose from 1,831 thermostats in 2012 to almost 3,400 in 2015.

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<sup>1</sup> Heating, ventilation, & air conditioning

However, even when legislation works, there are improvements or “fixes” to consider. To enhance our effectiveness even further, Public Act 12-54 could be amended to:

- 1) Change the definition of “manufacturer” to include producers of thermostats **that could replace** a mercury thermostat to expand our collection reach
- 2) Delete the requirement that the TRC conduct an annual self-assessment through a certified CT Department of Energy & Environmental Protection approved third party
- 3) Expand the obligation to recycle thermostats to contractors who replace a mercury thermostat when conducting energy efficiency or weatherization programs administered by private or semi-private utilities
- 4) Affirm that the CT Dept. of Energy & Environmental Protection **shall** (as opposed to “may”) enforce the law’s obligations
- 5) Establish a “sunset” date beyond which the program will continue to operate voluntarily rather than under a legislative mandate

In summary, mercury thermostats already have both a highly effective collection program and legislation designed to capture these products.

It is our opinion that HB 7067 lacks **shared responsibility** and the specificity necessary for proper management of product categories. Each product category is serviced, handled and managed differently at the end of its useful life.

Products such as mercury thermostats happen to be in homes, yet are much different in their disposal to other household goods. The reason for this is that, in the majority of cases, trained professionals handle the de-installation.

Any legislation which is **one size fits all** will make severe assumptions about the most effective ways disposal occurs. It is for these reasons, TRC **opposes** passage of HB 7067 and urges that the committee not vote favorably on this legislation.

If you have questions or wish to discuss TRC’s position further, please do not hesitate to contact us.

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