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For Immediate Release:

Wednesday, March 21st, 2012

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GROUPS URGE LEGISLATURE TO KEEP MERCURY OUT OF THE WASTE STREAM

(Albany) A newly-formed coalition of environmental groups, public health advocates, and municipal recyclers today called on the New York State Legislature to pass legislation this session that would reduce the amount of mercury entering solid waste facilities.

They were joined by Senator Mark Grisanti and Assemblymember Bob Sweeney, chairs of the Senate and Assembly Environmental Conservation Committees, Senator Tony Avella, and Assemblymember Brian Kavanagh.

Mercury is a highly potent neurotoxin that is extremely harmful to pregnant women, developing fetuses, and infants and children. Recognizing the environmental and health hazards of mercury exposure, New York has taken a number of steps over the years to prevent mercury releases, including a 2005 law that phased out the sale of many mercury-added consumer products and banned their disposal in solid waste facilities.

Despite these measures, discarded products containing mercury are still ending up in the waste stream, posing a threat to our air and water. According to recent data from the New York State Department of Environmental Conservation (DEC), in 2009, municipal waste combustors in New York released more mercury into the air than coal-fired power plants.

The groups are urging passage this session of legislation requiring thermostat manufacturers to establish a collection program for discarded mercury thermostats in New York. More than a ton of mercury enters New York's waste stream each year from discarded thermostats. Voluntary collection programs only capture about 1% of the discarded thermostats in New York. In contrast, states like Maine and Vermont, which require financial incentives, are achieving much higher collection rates.

The groups are also supporting legislation to limit the mercury content in compact fluorescent lamps (CFLs) and other fluorescent lighting, modeled after standards adopted by the European Union. There are no federal regulations limiting the amount of mercury that can be contained in light bulbs, and they are not included in New York's disposal ban.

“Over 300,000 mercury thermostats come off the walls each year in New York, and nearly 99% of those are ending up in landfills and incinerators,” said Senator Grisanti. “Mercury is a toxic substance. We need an effective collection program to keep our water and air clean and free from mercury contamination.”

“Mercury thermostats represent a good choice for a product stewardship program because they contain a significant amount of mercury which can be effectively captured before it gets into the waste stream,” said Assemblyman Sweeney. “An ounce of prevention is worth a pound of cure.”

“Even low level exposures to mercury can be harmful, especially for children and pregnant women,” said Senator Avella. “According to the EPA, more than 300,000 infants are born each year in the United States with mercury levels high enough to cause learning disabilities and other neurological impairments. That’s why it’s so important that we work to prevent mercury releases into the environment.”

“Mercury is one of those very toxic substances that we’ve known about for a long time, but we’ve done far too little to reduce its use and limit our exposure to it,” said Assemblymember Kavanagh, who sponsors a bill restricting mercury levels in light bulbs. “Today, we’re calling for manufacturers to take modest steps to minimize the threat their products pose to consumers and the environment.”

“Time is running out to address this problem,” said Laura Haight, senior environmental associate with NYPIRG. “As more New Yorkers switch to energy-efficient measures like programmable thermostats, it’s crucial to establish an effective program to capture and safely dispose of the discarded mercury thermostats coming off the walls.”

“New York has been a leader in reducing mercury from many large industrial sources,” said Scott M. Lorey, Legislative Director for the Adirondack Council. “However, we are lagging behind other states when it comes to addressing the problem of discarded thermostats. Until strong action is taken, mercury will continue to poison our birds and make many fish unsafe to eat.”

“It’s time to turn off the tap on toxic chemicals like mercury. Mercury can have a powerful effect on brain and nervous system functions, and can be deadly. Even small amounts of it can have lifelong consequences from children who are exposed while still in the womb,” said Bobbi Chase Wilding, Deputy Director for Clean and Healthy New York. “By setting strict limits on this toxic metal in compact fluorescent lights and requiring thermostat manufactures to collect and safely handle mercury from antiquated thermostats, New York State can protect its people and environment for generations to come.”

There are several bills currently pending in the State Legislature that would require thermostat collection programs, including A. 3485-A (Sweeney), which the Assembly passed in 2010 and 2011, and S.4345-B (Grisanti), which sets more modest thermostat collection goals. A.5583-A (Kavanagh) adopts the most up-to-date EU mercury content standards for fluorescent lamps.

Mercury-containing thermostats are one of the major sources of mercury in the waste stream. Each thermostat contains on average four grams of liquid mercury (about a thimbleful), enclosed in a glass ampoule. This is about eight times the average amount of mercury found in a mercury

fever thermometer (.5 g), and 800 times the average amount of mercury in a compact fluorescent lamp (5 mg). Properly collected, this mercury can be retrieved and carefully disposed of. But when crushed or incinerated, the glass ampoule shatters and the mercury is released into the environment.

Because of mercury's environmental hazards, the DEC recommends product stewardship for all mercury containing products. The DEC's Beyond Waste Plan notes that "Mercury containing thermostats are a particularly important target because they represent a small waste stream that, unfortunately, includes a significant amount of mercury."

Endorsers of the New York State Mercury Prevention Campaign include: Adirondack Council; Center for Environmental Health; Center for Health, Environment & Justice (CHEJ); Citizens Campaign for the Environment; Citizens' Environmental Coalition; Clean & Healthy New York; Empire State Consumer Project, Environmental Advocates of New York; Environmental Justice Action Group of Western New York; Hudson River Sloop Clearwater; Huntington Breast Cancer Action Coalition; Learning Disabilities Association of New York State; Mercury Policy Project; Natural Resources Defense Council; New York City Environmental Justice Alliance; New York Product Stewardship Council, New York Public Interest Research Group; N.Y.S. Association of Reduction, Reuse & Recycling (NYSAR3); Product Stewardship Institute; and the Sierra Club Atlantic Chapter. The goals of the campaign are to eliminate or reduce mercury in consumer products sold in New York and to establish producer responsibility programs to capture mercury before it is released to the environment.

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