

Legislative Proposal on Mercury Reduction

Ohio EPA is interested in pursuing legislation aimed at reducing the amount of mercury released to the environment from consumer products, some industrial sources, and mercury-containing devices in schools. Mercury is a significant threat to human health, fish and wildlife, so many states have passed similar legislation. Before moving to legislation, the Ohio EPA is willing to meet with interested parties to discuss the proposal.

The proposal focuses on four areas: schools, novelty items, thermometers and thermostats. Each focal area has different phase-in periods.

The school ban would prohibit schools K-12 from purchasing elemental mercury, chemical mercury compounds and mercury-added measuring devices for classroom use. The proposal would not ban fluorescent lights from schools because there are no viable alternatives.

A novelty item ban would prohibit the sale or distribution for promotional purposes of mercury added novelties, unless the mercury is solely within a fluorescent lightbulb. Novelties would be defined as products intended for personal or household enjoyment or adornment. Examples include games, figurines, toys, cards, ornaments, yard statues, candles, jewelry, decorations, footwear and other apparel items. Novelty items that use button cell batteries also are targeted for phase-out two years after the legislation passes.

The sale and promotional distribution of all mercury-containing thermometers would be prohibited unless it is a federal requirement, the component is a removable button cell battery or if a fever thermometer was authorized by a doctor's prescription. Mercury fever thermometer manufacturers also would provide notice of mercury content, instructions on proper disposal and supply clear instructions on carefully handling thermometers to avoid breakage and proper cleanup should breakage occur.

The sale, installation or re-installation of commercial or residential thermostats would be prohibited. Exemptions would be made for thermostats used by the blind or visually impaired and those used to sense and control temperatures as part of a manufacturing process.

Several other states have adopted similar measures, and Ohio EPA wants to develop a legislative proposal that will be supported by a variety of interested parties and move us toward removing sources of mercury exposure. In order to gather feedback, Ohio EPA has met with interested parties and is willing to meet with groups or individuals who have an interest in the proposal. Please contact Jennifer Klein, legislative liaison at Ohio EPA, at (614) 644-2782 to arrange a meeting or to discuss these proposals.

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