

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 836*
House Committee Substitute Favorable 8/6/09

Short Title: Recycle Products Containing Mercury.

(Public)

Sponsors:

Referred to:

March 25, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT
3 FLUORESCENT LIGHTS AND MERCURY THERMOSTATS; REQUIRE THE
4 REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS
5 FROM BUILDINGS PRIOR TO DEMOLITION; AND BAN MERCURY-CONTAINING
6 PRODUCTS FROM UNLINED LANDFILLS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Article 9 of Chapter 130A of the General Statutes is amended by
9 adding a new Part to read:

10 "Part 7. Management of Certain Products That Contain Mercury.

11 "**§ 130A-310.60. Recycling required by public agencies.**

12 (a) Each State agency, including the General Assembly, the General Court of Justice,
13 universities, community colleges, public schools, and political subdivisions using State funds,
14 shall establish a program in cooperation with the Department of Environment and Natural
15 Resources and the Department of Administration for the collection and recycling of all spent
16 fluorescent lights and thermostats that contain mercury generated in public buildings. The
17 program shall include procedures for convenient collection, safe storage, and proper recycling
18 of spent fluorescent lights and thermostats that contain mercury and contractual or other
19 arrangements with buyers of the recyclable materials.

20 (b) Each State agency, including the General Assembly, the General Court of Justice,
21 universities, community colleges, the Department of Public Instruction on behalf of the public
22 schools, and political subdivisions using State funds, shall submit a report on or before
23 February 1, 2010, that documents the entity's compliance with the requirements of subsection
24 (a) of this section to the Department of Environment and Natural Resources and the
25 Department of Administration. The Departments shall compile the information submitted and
26 jointly shall submit a report to the Environmental Review Commission on or before May 1,
27 2010, concerning the activities required by subsection (a) of this section. The information
28 provided also shall be included in the report required by G.S. 130A-309.06(c).

29 "**§ 130A-310.61. Removal and recycling of mercury-containing products from structures**
30 **to be demolished.**

31 Prior to demolition of any building or structure in the State, the contractor responsible for
32 the demolition activity or the owner of the building or structure to be demolished shall remove
33 all fluorescent lights and thermostats that contain mercury from the building or structure to be
34 demolished."

35 **SECTION 2.** G.S. 130A-309.10 is amended by adding a new subsection to read:



1 "(m) No person shall knowingly dispose of fluorescent lights and thermostats that contain
2 mercury in a sanitary landfill for the disposal of construction and demolition debris waste that
3 is unlined or in any other landfill that is unlined."

4 **SECTION 3.** This act is effective when it becomes law, except that: (i) the
5 recycling program required by G.S. 130A-310.60, as enacted by Section 1 of this act, shall be
6 established and implemented by each State agency by December 1, 2009; (ii)
7 G.S. 130A-310.61, as enacted by Section 1 of this act; and (iii) Section 2 of this act becomes
8 effective December 1, 2009, and applies to offenses committed on or after that date.